

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

HENRY N. HARPER,

Plaintiff,

vs.

**Case No.: 2:13-cv-1100
JUDGE SMITH
Magistrate Judge Deavers**

**TUSCARAWAS COUNTY JOB
& FAMILY SERVICES, *et al.*,**

Defendants.

ORDER

On January 6, 2014, the United States Magistrate Judge issued a *Report and Recommendation* recommending that Plaintiff's Complaint be dismissed pursuant to 28 U.S.C. § 1915(e)(2) for failure to state a claim on which relief may be granted. (*See Report and Recommendation*, Doc. 11). The parties were advised of their right to object to the *Report and Recommendation*. This matter is now before the Court on Plaintiff Harper's Objections to the *Report and Recommendation*. (*See* Doc. 13). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

The objections present the same issues presented to and considered by the Magistrate Judge in the *Report and Recommendation*. Plaintiff asserts that the Magistrate Judge misconstrued his arguments; however, Plaintiff has not presented any additional basis to support his claims that would allow this case to proceed. The Magistrate Judge thoroughly discussed the standard in the *Report and Recommendation*, "a complaint must contain sufficient factual matter. . . to 'state a claim to relief that is plausible on its face.'" *Bell Atlantic Corp. v. Twombly*, 550

U.S. 544, 570 (2007); *Ashcroft v. Iqbal*, 129 S.Ct. 1937, 1949 (2009). Plaintiff, regardless of how he is identified, or how the facts are characterized, has failed to sufficiently state a claim for relief. For the reasons stated in the *Report and Recommendation*, this Court finds that Plaintiff's objections are without merit and are hereby **OVERRULED**.

The *Report and Recommendation*, Document 11, is **ADOPTED** and **AFFIRMED**. Plaintiff's Complaint is hereby dismissed in its entirety.

The Clerk shall remove Document 11 from the Court's pending motions list. The Clerk shall terminate this case.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT